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Attorneys for Plaintiff
CISCO SYSTEMS, INC.

FILED FOR THE COURT

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

CISCO SYSTEMS, INC.,

Plaintiff,

v.

STMICROELECTRONICS, INC.,

Defendant.

Case No. 5:14-cv-03236-RMW-HRL

**STIPULATION AND []
ORDER RE SCHEDULING**

Plaintiff Cisco Systems, Inc. (“Plaintiff”) and Defendant STMicroelectronics, Inc. (“Defendant,” together with Plaintiff, the “Parties”), by and through their undersigned counsel, hereby stipulate as follows:

WHEREAS, on June 13, 2014, Plaintiff filed the Complaint against Defendant in Santa Clara Superior Court;

WHEREAS, on July 17, 2014, Defendant removed the action to the United States District Court for the Northern District of California, San Jose Division;

WHEREAS, on July 24, 2014, Defendant filed a motion to dismiss and a special motion to strike (“Motions”) in response to the Complaint with an agreed-upon hearing date of September 19, 2014;

WHEREAS, the Court entered the Parties’ stipulation and proposed order extending the deadlines for the Oppositions and Replies;

WHEREAS, Plaintiff intends to amend the complaint;

WHEREAS, because Plaintiff is amending the complaint, it would be a waste of party and judicial resources for the parties to continue briefing and for the Court to hear the pending Motions;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the Parties, through their respective undersigned counsel, that the Court should find that good cause exists to enter an order that:

1. Defendant’s Motions shall be withdrawn without prejudice and the Motions shall be taken off calendar;
2. Plaintiff shall file its amended complaint no later than August 29, 2014;
3. Plaintiff’s amended complaint will not add any new parties or claims; and

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4. The Parties shall agree on an appropriate deadline for Defendant to file its motions or other pleadings in response to the amended complaint and an appropriate briefing schedule should Defendant file any motions in response to the amended complaint.

Dated: August 18, 2014

WINSTON & STRAWN LLP

By: /s/ Krista M. Enns
Krista M. Enns
Attorneys for Plaintiff
CISCO SYSTEMS, INC.

Dated: August 18, 2014

SIDLEY AUSTIN LLP

By: /s/ Nicole Ryan
Nicole Ryan
Attorneys for Defendant
STMICROELECTRONICS, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

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RONALD M. WHYTE
United States District Judge

LOCAL RULE 5-1 ATTESTATION

I, Krista M. Enns, am the ECF User whose ID and password was used to file this STIPULATION AND [PROPOSED] ORDER RE SCHEDULING. In compliance with Local Rule 5-1(i)(3), I hereby attest that, counsel for Defendant, concurred in this filing.

Dated: August 18, 2014

By: /s/ Krista M. Enns
Krista M. Enns